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Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION**

PAUL GARCIA,	)	Case No.: 1:21-cv-00698-SKO
	)	
Plaintiff,	)	STIPULATION AND ORDER TO REMAND
	)	
v.	)	(Doc. 18)
	)	
COMMISSIONER OF SOCIAL SECURITY,	)	
	)	
Defendant.	)	

IT IS STIPULATED by and between Paul Garcia (Plaintiff) and Kilolo Kijakazi, Acting Commissioner of Social Security (Defendant), through their undersigned counsel of record, that the above-entitled action shall be remanded to the Commissioner of Social Security for further administrative proceedings.

Upon remand, the Office of Hearing Operations will remand the case to an Administrative Law Judge (ALJ) for a new decision and instruct the ALJ to further evaluate the opinion of consultative examiner Ekram Michiel, M.D. The parties further request that the

1 Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against  
2 Defendant, reversing the final decision of the Commissioner.

3 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the  
4 Social Security Act, 42 U.S.C. 405(g).

5 Respectfully submitted this 22 day of April, 2022.

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7 Dated: April 25, 2022

/s/ Jonathan O. Peña  
JONATHAN O. PEÑA  
Attorney for Plaintiff  
\*Authorized via e-mail on April 22, 2022

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9  
10 Dated: April 25, 2022

PHILLIP A. TALBERT  
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14 By: /s/ Sarah E. Preston  
SARAH E. PRESTON  
Special Assistant United States Attorney  
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16 Attorneys for Defendant  
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19 **ORDER**

20 Based upon the parties' Stipulation to Remand (Doc. 18), and for good cause shown,  
21 IT IS HEREBY ORDERED that the above-captioned action is REMANDED to the  
22 Commissioner of Social Security for further proceedings consistent with the terms of the  
23 Stipulation to Remand.

24 The Clerk of the Court is hereby DIRECTED to: (1) enter judgment in favor of Plaintiff  
25 Paul Garcia and against Defendant Kilolo Kijakazi, Acting Commissioner of Social Security; and  
26 (2) administratively close this file.

27 IT IS SO ORDERED.  
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1 Dated: **April 25, 2022**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE

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